



Virginia
Regulatory
Town Hall

Final Regulation Agency Background Document

Agency Name:	Department of State Police
VAC Chapter Number:	19 VAC 30-150
Regulation Title:	Regulations Relating to Standards and Specifications for Over-dimensional Warning Lights
Action Title:	Updating the existing regulation to make it more consistent with the Society of Automotive Engineers
Date:	02/21/01

Please refer to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99) , and the *Virginia Register Form, Style and Procedure Manual* for more information and other materials required to be submitted in the final regulatory action package.

Summary

Please provide a brief summary of the new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment; instead give a summary of the regulatory action. If applicable, generally describe the existing regulation. Do not restate the regulation or the purpose and intent of the regulation in the summary. Rather, alert the reader to all substantive matters or changes contained in the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. Please briefly and generally summarize any substantive changes made since the proposed action was published.

The proposed amendments to 19 VAC 30-150, Standards and Specifications For Over-dimensional Warning Lights, are revised in order to make the regulation consistent with the Society of Automotive Engineers (SAE) Standards J575, J578, J579 and J845, upon which the standards and specifications are based. Section 46.2-1026 of the Code of Virginia (See Purpose Section of this report) includes top-mounted bar-type lights on specified vehicles that are required to be approved by the Superintendent. The proposed amendments to this section have no impact on currently approved lighting equipment, but actually broaden the range of amber warning lights approved for use, such as the top-mounted lights. Actual revisions are explained in the Detail of Changes Section of this report. Wording changes make language consistent with the Code of

Virginia, the Society of Automotive Engineers Standards, and requirements contained in the Virginia Register Form, Style, and Procedure Manual. There have been no apparent enforcement problems related to this lighting approval requirement, and the proposed changes will have no impact on enforcement by State Police.

There have been no substantive changes to this proposed amendment since the proposed action was published.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency: including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

The final action taken by the Department of State Police was completion of the Proposed Regulation stage. The Proposed Regulation was printed in the Virginia Register, Volume 17, Issue 4, on November 6, 2000. No public comments were received. The current action is the Final Regulation stage for this amendment. The title of the regulation is Regulations Relating to Standards and Specifications for Over-dimensional Warning Lights.

Basis

Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority, shall be provided. If the final text differs from that of the proposed, please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the final regulation and that it comports with applicable state and/or federal law.

The statutory responsibility for establishing standards and specifications for over-dimensional warning lights required by § 46.2-1026 of the Code of Virginia rests with the Superintendent of the Department of State Police. Virginia regulation 19 VAC 30-150 was adopted to establish standards and specifications for over-dimensional warning lights required by § 46.2-1026 of the Code of Virginia. The proposed changes to this regulation are intended to:

1. Provide the proper referenced sections of the Society of Automotive Engineers (SAE) Standards J575, J578, J759 and J845.
2. Correct spelling or other non-substantive errors.
3. Clarify the existing regulation.

4. Make the existing regulation consistent with the Society of Automotive Engineers (SAE) Standards J575, J578, J759 and J845.

The Office of the Attorney General has certified that the agency has the statutory authority to promulgate the proposed regulation in accordance with § 46.2-1005 of the Code of Virginia and the revisions comport with applicable state and/or federal laws.

Purpose

Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the final regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.

The statutory responsibility for establishing standards and specifications for over-dimensional warning lights required by § 46.2-1026 of the Code of Virginia rests with the Superintendent of the Department of State Police. To fulfill this responsibility, regulation 19 VAC 30-150 was established. This regulation is based upon the Society of Automotive Engineers (SAE) Standards J575, J578, J759 and J845.

Section 46.2-1026 of the Code of Virginia reads as follows:

§ 46.2-1026. Flashing high-intensity amber warning lights. -- High-intensity flashing, blinking, or alternating amber warning lights visible for at least 500 feet, of types approved by the Superintendent, shall be used on any vehicle engaged in either escorting or towing over-dimensional materials, equipment, boats, or manufactured housing units by authority of a highway hauling permit issued pursuant to § 46.2-1139. Such lights shall be mounted on the top of the escort and tow vehicles and on the upper rear end of the over-dimensional vehicles or loads for maximum visibility, front and rear. However, any vehicles operating under a permit issued pursuant to § 46.2-1139 shall be deemed to be in compliance with the requirements of this section if accompanied by escort vehicles.

The provisions of this section shall apply only to vehicles or loads which are either (i) more than twelve feet wide or (ii) more than seventy-five feet long. (Code 1950, § 46-273; 1954, c. 310; 1958, c. 541, § 46.1-267; 1960, cc. 156, 391; 1962, c. 512; 1966, cc. 655, 664; 1968, c. 89; 1972, c. 7, 1974, c. 537; 1976, c. 6; 1977, c. 72; 1978, cc. 311, 357; 1980, c. 337; 1981, c. 338; 1984, cc. 440, 539; 1985, cc. 248, 269, 287, 462; 1986, cc. 124, 127, 229; 1987, cc. 347, 370; 1988, cc. 339, 351; 1989, c. 727.)

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement of the regulatory action's detail.

The statutory responsibility for establishing standards and specifications for over-dimensional warning lights required by § 46.2-1026 of the Code of Virginia rests with the Superintendent of the Department of State Police. To fulfill this responsibility, regulation 19 VAC 30-150 was established. A recent review of this regulation revealed the need to make several changes to the existing regulation to make it consistent with the Society of Automotive Engineers (SAE) Standards J575, J578, J759 and J845 upon which this regulation is based.

These changes make the existing regulation consistent with SAE Standards J575, J578, J759 and J845, provide the proper referenced sections of SAE Standards J575, J578, J759 and J845, correct spelling or other non-substantive errors, or simply clarify the existing regulation.

Issues

Please provide a statement identifying the issues associated with the final regulatory action. The term "issues" means: 1) the advantages and disadvantages to the public of implementing the new provisions; 2) the advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.

This regulation is essential to ensure the safety of the motoring public and reduce the risk of death or injury to citizens using our highways. Only those over-dimensional warning lights required by § 46.2-1026 of the Code of Virginia, and which meet or exceed the standards set forth in Virginia regulation 19 VAC 30-150 are approved for sale and/or use.

Statement of Changes Made Since the Proposed Stage

Please highlight any changes, other than strictly editorial changes, made to the text of the proposed regulation since its publication.

No changes have been made since the proposed stage.

Public Comment

Please summarize all public comment received during the public comment period and provide the agency response. If no public comment was received, please include a statement indicating that fact.

No public comments were received.

Detail of Changes

Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or crosswalk - of changes implemented by the proposed regulatory action. Include citations to the specific sections of an existing regulation being amended and explain the consequences of the changes.

Page 1 - a new heading is created and added to the top of each page to comply with the guidelines in the Virginia Register Form, Style and Procedure Manual. The State Police heading is deleted.

Page 1 - the definition section is set out as 19 VAC 30-150-10, the first section of this regulation in accordance with the Virginia Register Form, Style and Procedure Manual.

Page 1 - adds language required by the Virginia Register Form, Style and Procedure Manual concerning words and terms.

Page 1 - adds language consistent with § 46.2-1026 of the Code of Virginia. Grammatical errors are corrected.

Page 1 - adds a definition for the "SAE".

Page 1 - is revised in accordance with the Virginia Register Form, Style and Procedure Manual, which requires the "definition" section to be listed as the first section of a regulation, the "purpose" section has been renumbered as 19 VAC 30-150-20.

Page 1 - text of 19 VAC 30-150-20 is revised with additions and deletions, making the language consistent with established regulations. The code section which gives the Superintendent the authority to establish standards and specifications for over-dimensional warning lights is added to the regulation.

Pages 1 and 2 - text of 19 VAC 30-150-30 is revised with additions and deletions, making the language consistent with established regulations. Reference to SAE J845 has been added.

Page 2 - section 19 VAC 30-150-50 is revised with additions and deletions, making the language consistent with SAE J578.

Page 2 - section VAC 30-150-70 is revised by deleting the effective date of this regulation.

Page 2 - the date that this regulation was adopted has been deleted.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

This proposed regulatory action will have no potential impact on the institution of the family and family stability.